

IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

FRIDAY, THE TENTH DAY OF SEPTEMBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE DR JUSTICE G.YETHIRAJULU

WRIT PETITION NO : 12573 of 2004

Between:

- 1 K.Satyanarayana S/o K.Samba Murthy, aged 44 years
- 2 Sk. Silari S/o Sk. Ahmed, aged 30 years
- 3 B.Ram Babu S/o B.Rama Rao, aged 35 years,
- 4 K.Veerawamy s/o K.Chandraiah, aged 40 years
- 5 K.Kanna Rao S/o K.Appanna, aged 42 years
- 6 K.Gopalam S/o K.Appanna, aged 42 years
- 7 E.Simhachalam S/o E.Appanna, aged 40 years
- 8 K.Demudu S/o K.Appanna, aged 39 years
- 9 P.Kondaiah s/o P.Appanna, aged 40 years
- 10 Pangi Genva S/o Ramu

(All are R/o C/o K.Satyanarayana, Carpenter, Upper Sileru Kannabaiyah Camp.
Visakhapatnam District)

..... PETITIONERS

AND

- 1 The APGENCO rep .by its Chairman and Managing Director

Vidyut Soudha. Hyderabad

- 2 The General Manager (HR) APGENCO, vidyut soudha, hyderabad
- 3 The Superintending Engineer, O&M upper Sileru Hydro Electric Scheme
APGENCO, Upper Sileru, Visakhapatnam District

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a writ, order or direction more particularly one in the nature of Writ of Mandamus declaring the impugned action of the respondents in not considering the petitioners for absorption as per Memo dt. 26/08/1985 and B.P.Ms.No.36, dt. 18/05/97 while absorbing several other casual about in spite of the directions contained in Memo.No.GM (HR)/DS/ (PER)/AS(L)/PO.K/1029/2000-4, dt. 7/02/2002

and Memo. No SE/C(O&M)/Adm/C1/339/2002, dt. 8/02/2002 as highly illegal, arbitrary and violatiave of Art. 14 of the Constitution of India and consequently direct the Respondents to absorb the petitioners with all attendant benefits.

Counsel for the Petitioners: MR.G.V.SHIVAJI

Counsel for the Respondents: SMT.K.SESHAJYAM (SC FOR AP GENCO)

The Court made the following:

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ORDER:

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The petitioners contend that they worked as casual labour in the respondents' corporation for a considerable period. They further contend that the Corporation has framed a scheme for absorption of Ex-casual labour, who worked for a considerable period, by putting required number of man-days vide memo No.OSD (P)/DM.I/A3/1138/85-1, dated 26.08.1985.

2. The petitioners contend that in pursuance of the said scheme, they submitted representations to the respondents, requesting them to consider their cases also for absorption as regular workmen.
3. The grievance of the petitioners is that the respondent Corporation did not pass any orders on the representations made by them. Therefore, they approached this Court, seeking a direction to the respondents to consider their cases for absorption as regular workmen.
4. In the light of the circumstances explained by the petitioners, the respondents are directed to consider the representations of the petitioners in

pursuance of the Circular memo dated 26.08.1985, and pass appropriate orders according to the existing rules. If the representations, made by the petitioners, were already disposed of, no further orders need be passed.

5. The Writ Petition is, accordingly, disposed of.

dsr/svs

ASSISTANT REGISTRAR

To:

1. The Chairman & Managing Director,
AP GENCO, Vidyut Soudha, Hyderabad

2. The General Manager (HR), AP GENCO,
Vidyut Soudha, Hyderabad

3. The Superintending Engineer, O & M,
Upprt Dilrtu Hydro Electric Scheme
AP GENCO, Upper Sileru, Visakhapatnam

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